

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

Statesboro Division

2008 JUN 23 PM 12:21

United States of America

v.

Jelani Brown

Date of Previous Judgment: March 2, 2005

(Use Date of Last Amended Judgment if Applicable)

)
)
) Case No: CR604-00010-005
) USM No: 11987-021
) Sidney B. Shepherd
) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 96 months is **reduced to** 87 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 31Amended Offense Level: 29Criminal History Category: 1Criminal History Category: 1Previous Guideline Range: 108 to 135 monthsAmended Guideline Range: 87 to 108 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

The reduced sentence is within the amended guideline range.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

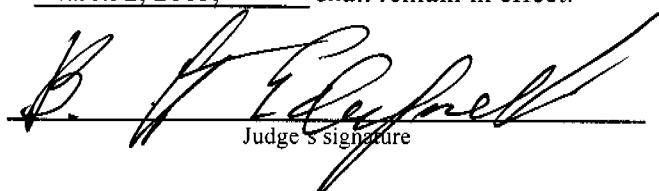
Other (explain): The Court departed below the applicable imprisonment range at the time of the original sentencing; however, since the lower end of the new advisory guideline range is 87 months, the Court will not depart below that sentence because the Court contends a sentence of 87 months adequately addresses the sentencing factors addressed at 18 U.S.C. § 3553(a).

III. ADDITIONAL COMMENTS

If this sentence is less than the amount of time the defendant has already served, the sentence is reduced to a "Time Served" sentence.

Except as provided above, all provisions of the judgment dated March 2, 2005, shall remain in effect.

IT IS SO ORDERED.

Order Date: June 23, 2008


Judge's signature

B. Avant Edenfield
 United States District Judge
 For the Southern District of Georgia

Printed name and title

Effective Date: _____
 (if different from order date)